

SENATE BILL 2189

By Campfield

AN ACT to amend Tennessee Code Annotated, Title 36
and Title 37, relative to intentional
misrepresentation of parentage.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 36, Chapter 2, Part 3, is amended by
adding the following as a new section:

(a) A person who has paid child support for a child and subsequently been
proven not to be the child's biological parent shall have a civil cause of action against the
child's biological parent if:

(1) The biological parent claimed that the person was the child's
biological parent;

(2) The claim has been proven false by DNA analysis, pursuant to § 24-
7-118;

(3) At the time of making the claim, the biological parent knew that the
misrepresentation was false or made the claim with reckless disregard for the
truth;

(4) The person did not know that the claim was false when made and
reasonably believed the claim; and

(5) The person, relying on the biological parent's claim, paid child support
for the child.

(b) A claim for intentional misrepresentation of parentage shall entitle a person
to recover compensatory damages including:

(1) Child support paid to a biological parent;

(2) Medical expenses paid for the child; and

(3) Insurance premiums paid for the child.

(c) Nothing in this section shall allow for the retroactive modification of a person's child support obligation or any amount owed in arrears.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.